

JOURNAL OF THE HOUSE.

Monday, July 23, 2007.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Almighty God, we believe that You are always in our midst and are open to our human and spiritual needs. So we pray to You for Your assistance and the strength to cope with our daily responsibilities. With Your help we try to respond to You by doing what is right and honorable in Your sight. In this era of worldwide terrorism and violence against people and institutions, inspire us to respect the dignity and the ultimate destiny of each person whom You have created. May we join together with our neighbors and people in protecting the civil, religious and human rights of all people.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Appointments to the Dairy Farm Revitalization Task Force.

The Speaker announced that (under Section 17 of Chapter 42 of the Acts of 2007) he had appointed Representatives Bosley of North Adams and Kulik of Worthington to serve on the Dairy Farm Revitalization Task Force.

Dairy
farms.

Appointments to Madeline Amy Sweeney Award Board.

The Speaker announced the appointment (under Section 214 of Chapter 6 of the General Laws) of Representatives Costello of Newburyport and Tobin of Quincy to serve on the Madeline Sweeney Award for Civilian Bravery Board.

Madeline
Sweeney
Bravery
Award.

Statement of Representative Kennedy of Brockton.

A statement of Mr. Kennedy of Brockton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was not able to be present in the House Chamber for last Thursday's sitting due to a previously scheduled surgical procedure. Had I been present for the taking of yea and nay numbers 120 to 123, I would have voted, in each instance, in the affirmative. Any roll calls that I missed that day was due entirely to the reason stated.

Statement of
Representative
Kennedy of
Brockton.

*Guest of the House.*Emily
deMacedo.

During the session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced Emily deMacedo. Emily is the daughter of and was the guest of Representative deMacedo of Plymouth.

*Resolutions.*Elizabeth
Childs.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Ms. Balser of Newton) commending Elizabeth Childs, M.D. for her dedicated service as Commissioner of Mental Health;

Lewis H.
Spence.

Resolutions (filed by Ms. Coakley-Rivera of Springfield and other members of the House) honoring Lewis H. "Harry" Spence for his outstanding dedication and service to the children of the Commonwealth and their families;

Vineyard and
Nantucket
Sounds.

Resolutions (filed by Mr. Patrick of Falmouth and other members of the House) memorializing the United States Congress to designate the Vineyard and Nantucket sounds as no discharge zones;

Robert and
Roberta
Briere.

Resolutions (filed by Mr. Smola of Palmer) congratulating Mr. and Mrs. Robert Briere on the occasion of their fiftieth wedding anniversary; and

Operating
Engineers
Local 4.

Resolutions (filed by Mr. Walsh of Boston) congratulating Operating Engineers Local 4 on the occasion of their one hundred and tenth anniversary celebration;

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Fagan of Taunton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Papers from the Senate.**Bills*Somerville
charter,
G.L.C.,
40 SS 21D.

Establishing the position of municipal hearing officer to conduct hearings of violation notices issued in the city of Somerville in accordance with Section 21D of Chapter 40 of the General Laws (Senate, No. 2166) (on a petition) [Local Approval Received];

Somerville,
health
inspectors.
Somerville,
charter.

Relative to health inspectors of the city of Somerville (Senate, No. 2168) (on a petition) [Local Approval Received];

Further regulating the department of public works of the city of Somerville (Senate, No. 2169, amended in section 2, in line 23, adding after the word "waterworks" the following: "; an operations manager of waterworks; a 311 director".) (on a petition) [Local Approval Received]; and

Somerville,
public
employee
details.

Authorizing increased fees for special details performed by public employees in the city of Somerville (Senate, No. 2170) (on a petition) [Local Approval Received];

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

The following notice was received from the Clerk of the Senate, to wit:—

July 20, 2007.

Honorable Salvatore F. DiMasi
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Therese Murray, President of the Senate, has announced the appointment of Senator Robert E. O'Leary to the Special Commission established (pursuant to Section 84 of Chapter 61 of the Acts of 2007) to make an investigation and study of homeowners insurance.

Homeowners
insurance,
study.

The Honorable Richard R. Tisei, Senate Minority Leader, has announced that Mr. Stephen Ryan, General Counsel and Government Affairs Director of the Massachusetts Association of Realtors, is the Minority Leader's appointment to the same special commission.

ii

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

Reports of Committees.

By Mr. Scaccia of Boston, for the committee on Rules, asking to be discharged from further consideration of the Order relative to authorizing the committee on Municipalities and Regional Government to make an investigation and study of certain House documents concerning contracts for assessors, treasurers and collectors and other related matters (House, No. 4050),— and recommending that the same be recommitted to the committee on Municipalities and Regional Government. Under Rule 42, the report was considered forthwith; and it was accepted.

Municipal
contracts.

By Mr. Mariano of Quincy, for the committee on Financial Services, on House, No. 1014, an Order relative to authorizing the committee on Financial Services to make an investigation and study of a certain House document concerning physician evaluation programs by insurance companies (House, No. 4174). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Physician
evaluation,
study.

Subsequently Mr. Scaccia of Boston, for said committees, reported asking to be discharged from further consideration of said order; and recommending that the same be referred to the House committee on Rules.

Under Rule 42, the report was considered forthwith; and it was accepted.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, that the following bills ought to pass:

Optometric
care.

Bill relative to the modernization of optometric patient care (House, No. 2044);

Health
workers,
influenza.

Bill providing for the prevention of influenza in health care workers and high risk patients (House, No. 2158); and

Public health,
mutual aid.

Bill relative to mutual aid for local public health (House, No. 4116);
Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Long term
care.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, on Senate, Nos. 409, 664 and 665 and House, Nos. 1127 and 1160, a Bill creating a special commission on institutional long term care services (House, No. 1127, changed by striking out in lines 3 to 5, inclusive, the words “recommend a plan to provide a seamless transition to a continuum of long term care services for elders and persons with disabilities that recognizes” and inserting in place thereof the word “recognize”). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Pension
divestment.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to pension divestment (Senate, No. 2255, amended) be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading, with an amendment pending.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

House bills

Nantucket
land use.

Approving the town of Nantucket to use, or to sell, convey or otherwise dispose of certain land situated in the town of Nantucket for any lawful purpose (printed as Senate, No. 2225) [Local Approval Received];

Nantucket
Island,
land bank
conveyance.

Approving the Nantucket Islands Land Bank and the town of Nantucket to use, or to sell, convey or otherwise dispose of certain land situated in the town of Nantucket for any lawful purpose (printed as Senate, No. 2227) [Local Approval Received]; and

Linda
Supernor,
sick leave.

Establishing a sick leave bank for Linda M. Supernor, an employee of the Department of Revenue (House, No. 4163);

Severally placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measure.

Brockton, Boys
and Girls Club.

The engrossed Bill relative to property owned by the Boys and Girls Club of Brockton, Inc. (see Senate, No. 2175), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 5 to 0. Sent to the Senate for concurrence.

Engrossed Bill.

The engrossed Bill improving juror service (see Senate, No. 2261, amended) (which originated in the Senate), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next
sitting.

At sixteen minutes after eleven o'clock A.M., on motion of Mr. Rodrigues of Westport (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M.